IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.490 OF 2006

Shri.Abdulrashid Hamja Mulla .. Appellant

V/s

Shri.Mahamadsaheb Sahabji Takildar .. Respondent

Mr.N.V.Bandiwadekar for the Appellant.
Mr.A.G.Toraskar & M.S.Chatage for the Respondent.

CORAM : DR.S.RADHAKRISHNAN,J.

DATE : 21ST JUNE, 2006.

P.C.:

1. Heard the learned Counsel for the parties. Both the lower Courts have concurred and decreed the suit by granting a mandatory injuction to remove the lock. The learned Counsel for the Appellant sought to contend that the Appellant had not prayed for possession and had merely prayed for a decree for mandatory injunction to remove the lock. A prayer for mandatory injunction to remove the lock, would clearly amount to seeking possession. Under the facts and circumstances of the case, there is no substantial question of law involved in the above. The above Appeal stands dismissed.

(DR.S.RADHAKRISHNAN,J.)